

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

United States of America,

Case No. 1:07MJ2077

Plaintiff

v.

ORDER

Terry Shane Metzenbaum,

Defendant

This is a case pending on the docket of the Hon. Donald C. Nugent. Defendant has filed an affidavit of bias against Judge Nugent under 28 U.S.C. § 144. She has faxed a copy to me, apparently in my capacity as Chief Judge.

I am not responsible for ruling on such matters. Rather, the Judge against whom such assertion is made is authorized to determine its adequacy, and decide whether recusal or disqualification is appropriate. *See generally* 32 Am. Jur. 2d Federal Courts § 574.

It is, therefore

ORDERED THAT further proceedings pertaining to defendant's affidavit of bias be, and the same hereby are referred to the Hon. Donald C. Nugent for further proceedings.

So ordered.

s/James G. Carr  
James G. Carr  
Chief Judge